

## Office of Federal Contract Compliance Programs

## § 60-3.2

- (1) User(s), location(s), and date(s) of study
  - (2) Problem and setting
  - (3) Construct definition
  - (4) Job analysis
  - (5) Job titles and codes
  - (6) Selection procedure
  - (7) Relationship to job performance
  - (8) Alternative procedures investigated
  - (9) Uses and applications
  - (10) Accuracy and completeness
  - (11) Source data
  - (12) Contact person
- E. Evidence of validity from other studies
- (1) Evidence from criterion-related validity studies
    - (a) Job information
    - (b) Relevance of criteria
    - (c) Other variables
    - (d) Use of the selection procedure
    - (e) Bibliography
  - (2) Evidence from content validity studies
  - (3) Evidence from construct validity studies
- F. Evidence of validity from cooperative studies
- G. Selection for higher level jobs
- H. Interim use of selection procedures

### DEFINITIONS

#### 60-3.16 Definitions

#### APPENDIX TO PART 60-3

#### 60-3.17 Policy statement on affirmative action (see section 13B)

#### 60-3.18 Citations

AUTHORITY: Secs. 201, 202, 203, 203(a), 205, 206(a), 301, 303(b), and 403(b) of E.O. 11246; as amended by sec. 715 of Civil Rights Act of 1964, as amended (42 U.S.C. 2000(e)-14).

SOURCE: 43 FR 38295, 38314, August 25, 1978, unless otherwise noted.

### GENERAL PRINCIPLES

#### § 60-3.1 Statement of purpose.

A. *Need for uniformity—Issuing agencies.* The Federal government's need for a uniform set of principles on the question of the use of tests and other selection procedures has long been recognized. The Equal Employment Opportunity Commission, the Civil Service Commission, the Department of Labor, and the Department of Justice jointly have adopted these uniform guidelines to meet that need, and to apply the same principles to the Federal Government as are applied to other employers.

B. *Purpose of guidelines.* These guidelines incorporate a single set of prin-

ciples which are designed to assist employers, labor organizations, employment agencies, and licensing and certification boards to comply with requirements of Federal law prohibiting employment practices which discriminate on grounds of race, color, religion, sex, and national origin. They are designed to provide a framework for determining the proper use of tests and other selection procedures. These guidelines do not require a user to conduct validity studies of selection procedures where no adverse impact results. However, all users are encouraged to use selection procedures which are valid, especially users operating under merit principles.

C. *Relation to prior guidelines.* These guidelines are based upon and supersede previously issued guidelines on employee selection procedures. These guidelines have been built upon court decisions, the previously issued guidelines of the agencies, and the practical experience of the agencies, as well as the standards of the psychological profession. These guidelines are intended to be consistent with existing law.

#### § 60-3.2 Scope.

A. *Application of guidelines.* These guidelines will be applied by the Equal Employment Opportunity Commission in the enforcement of title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 (hereinafter "Title VII"); by the Department of Labor, and the contract compliance agencies until the transfer of authority contemplated by the President's Reorganization Plan No. 1 of 1978, in the administration and enforcement of Executive Order 11246, as amended by Executive Order 11375 (hereinafter "Executive Order 11246"); by the Civil Service Commission and other Federal agencies subject to section 717 of Title VII; by the Civil Service Commission in exercising its responsibilities toward State and local governments under section 208(b)(1) of the Intergovernmental-Personnel Act; by the Department of Justice in exercising its responsibilities under Federal law; by the Office of Revenue Sharing of the Department of the Treasury under the State and Local Fiscal Assistance Act of 1972, as